

MR
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Christople Davis
Plaintiffs,
v.
Cagbaviana et al.
Defendants.

23 CV 6556

FILED

JUL 25 2024

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

PLAINTIFFS RESPONSE TO DEFENDANTS MOTION FOR
JUDGMENT ON THE PLEADINGS

NOW COMES plaintiff, Christople Davis, prose,
and response to Defendants Motion for Judgment
on the pleadings. In support thereof, plaintiff
states as follows:

INTRODUCTION

Defendant County of Cook, by its attorney Kimberly
M. Foxx, State's Attorney of Cook County, through
her Assistant State's Attorney, Johnnetta Byers
Alleges, plaintiff signed a settlement agreement
with a general release for any and all claims
against Defendant including the claims from this
lawsuit, and therefore, he cannot proceed with his
claims against Defendant

Plaintiff's Response/Defenses

Plaintiff Davis and Assistant states Attorney JohnNetta Byers made a settlement agreement only for case number 23 CV 4316, Davis V. Szul et, al and that All prior claims plaintiff had pending he can proceed. (see Attached Exhibit A - AFFIDAVIT)

Case Number 23 CV 6556, Davis V. Cagbabuana et al, occurred prior to the execution of the settlement agreement and general release.

Assistant states Attorney Johnnetta Byers had knowledge of Davis V. Cagbabuana prior to the settlement agreement which Johnnetta Byers checked into Davis V. Cagbabuana for plaintiff and told him that she was not assign to the case. Johnnetta Byers also had notice of Davis V. Cagbabuana when plaintiff listed All of his claims in Davis V. Gates 23 C 4319 (see plaintiff's Response to Defendant Gates first set of interrogatories to plaintiff 23 C 4319 Paragraph 21 section "N")

plaintiff was under the assumption by ASA Johnnetta Byers that all his pending claims will not be released and he can proceed with all claims, And the settlement agreement was only for Davis V. Szul, case No 23 cv 4316. This was the agreement by ASA Johnnetta Byers. (see Attached Exhibit A -AFFIDAVIT).

CONCLUSION

WHEREFORE, plaintiff, for all the foregoing reasons, respectfully request this Honorable Court NOT TO grant Defendants motion for judgment on the pleadings pursuant to Rule 12(c) of the federal Rules of Civil procedure and enter judgment in favor of the plaintiff. Additionally, plaintiff request this not to be label as one of plaintiff's allotted three dismissals under 28 U.S.C § 1915(g).

Respectfully Submitted
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7117124

Exhibit A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Christople Davis
Plaintiffs

vs.

Cagbabuana et al.
Defendants.

Case NO. 23 CV 6556

AFFIDAVIT

State of Illinois
County of Cook) AFFIDAVIT OF Christople Davis

I Christople Davis, being first duly sworn,
deposes as follows:

1. Plaintiff Christople Davis had a settlement conference with Assistant State's Attorney Johnnetta Byers containing Case Number 23 CV 4316, Davis v. Szul et. al.
2. Plaintiff Christople Davis and Johnnetta Byers made a settlement Agreement only for Case Number 23 CV 4316, Davis v. Szul et. al.
3. Johnnetta Byers said to plaintiff Christople Davis that all of his pending lawsuit/cases will still be pending and do not have anything to do with the settlement Agreement for Case Number 23 CV 4316, Davis v. Szul et. al.

4. Plaintiff Christophe Davis told JohnNetta Byers he will not Agree to settle on case Number 23 c 4316, Davis v. Szul et. al unless it was just for Davis v. Szul, and all is other pending case will still be pending. JohnNetta Byers agreed to the deal.
5. Plaintiff was under the assumption All his pending cases had nothing to do with case Number 23 c 4316 Davis v. Szul and that he can proceed with all his other pending cases

Under penalty of perjury, I hereby declare and affirm that the above stated facts, to the best of my knowledge, are true and correct.

Dated this 17TH day of July, 2024

Christophe Davis
signature

Christophe Davis # R31569
Cross roads A.T.C
3210 W. Arthington St
Chgo, IL. 60624



OFFICE OF
CLERK OF THE U.S. District Court
219 S. Dearborn Street
Chgo, IL. 60604



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